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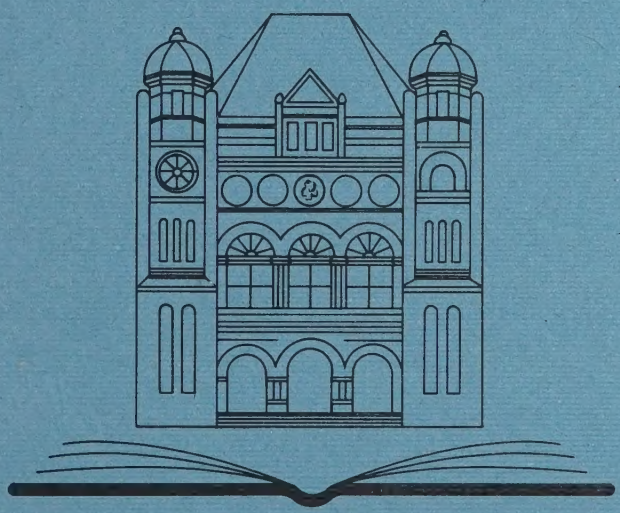

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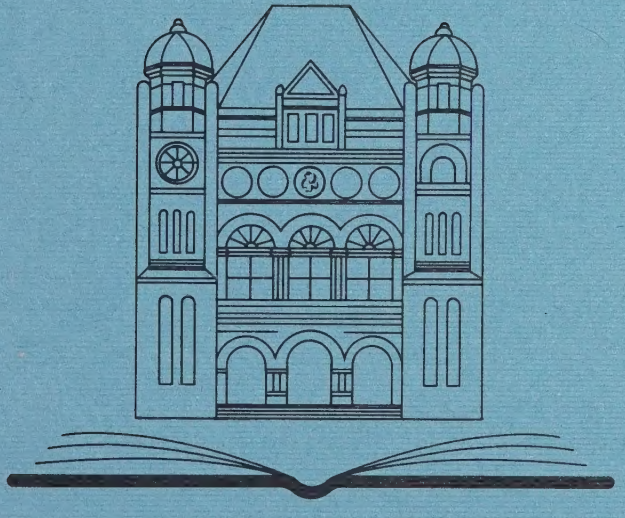

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BACKGROUNDER

TECHNOLOGY AND THE LEGISLATURE

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The Legislative Research Service is a branch of the Ontario Legislative Library which provides confidential non-partisan research analysis to Members of all parties of the Legislative Assembly and to legislative committees.

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INTRODUCTION

This paper provides a brief overview of key issues related to the direct and indirect applications of information technology in legislative assemblies. While many parliaments are wrestling with the concept of how much new technology should be encouraged in the Chamber itself, members already have access to many new electronic capabilities in their offices. As well, legislative libraries and Hansard services are now offering a greatly enhanced range of electronic services to make members' professional lives easier and more productive.

Since technology evolves rapidly, much of the information available for review changes continuously. This paper, therefore, concentrates on the issues involved in introducing new technology, rather than attempting to provide a complete catalogue of which jurisdictions have implemented which programmes as of this week. Following a summary of the Ontario situation, recent developments in Canada, the United States and abroad will be noted.

ONTARIO LEGISLATIVE ASSEMBLY

Computers in the House

In May of 1992, Ontario's Standing Committee on the Legislative Assembly reviewed the use of electronic devices in the legislative chamber and its committee meetings.[1] The Speaker had apparently indicated to at least one or two members in the past that he did not wish to see laptop computers in the chamber. Committee members did recognize possible concerns related to the traditions and dignity of the House.

However, some members noted that the House is used not only for debate, but also for the members to do work, such as speech preparation or correspondence. The members have always been supplied with pens, pencils and paper to do this work, and some members felt that the time had arrived that laptop computers be allowed in the House as one of the working tools available to members. It was noted that some members were already using automated calendars in the House without intervening in the proceedings, and laptop computers are quiet and do not require additional wiring or other physical modifications to the House.

Other members cited the then Speaker's concerns that the House is not only a place for speaking but also for listening, and that the presence of

laptop computers in the house may encourage the undertaking of other tasks to the detriment of the quality of debate. Some members expressed concern that this may lead to cellular telephones and other devices being brought into the House, which may be distracting to other members and tend to isolate individuals to a greater extent than is desirable in a collegial setting like a parliamentary chamber. The Standing Committee recommended that laptop computers not be permitted for use in the Legislative Assembly, and the matter be referred for any further discussion revolving around parliamentary reform.

The Standing Committee on the Legislative Assembly revisited this issue on 12 June 1996. A similar array of pros and cons was discussed and the Committee once again voted against the use of laptop computers in the chamber.[2]

Laptop computers are used in committee hearings by Legislative Research Service staff to summarize presentations made by witnesses and to draft and revise the committees' reports.

Existing Technological Services

Although members do not use computers in the legislative chamber in Ontario, they are supported by a considerable array of technology in their offices and constituencies. Some of these facilities are used directly by members and their staff, while others are accessed indirectly through such services as the Legislative Library and Hansard. The Legislative Information Services (LIS) branch provides training for existing and new computer products and acquires and maintains the hardware and software used throughout the Legislative Precinct.

Proceedings of the House itself and selected legislative committee meetings are televised to the public by means of the ONTPARL television network, which is distributed throughout most of the province by cable television services. The Broadcast and Recording Service also distributes these programmes to members' offices and other locations so that members and staff may keep in touch with the day's activities. A media studio is available for press conferences and other functions.

The Ontario Legislature has begun to post legislative, House, Hansard, and other information on the Internet for broad distribution. The Legislative Assembly's web site is still under development, and a broader range of information will appear in the near future. The Legislature's internet address is **http://www.ontla.on.ca/**.

Several MPPs and their staff have personal accounts to gain access to the Internet, where they take advantage of its E-mail and information gathering potential.

Other technological services to members include:

- Internal e-mail is available throughout the Assembly although not all caucuses and MPPs have chosen to be on the system, perhaps largely due to concerns about confidentiality. This system also provides internal bulletin boards for disseminating information within the Assembly.

- Access to the Internet has been provided by LIS, allowing contact with a huge range of external sources of information. The Library makes extensive use of Internet searches, sites and e-mail to find information for clients.

- Bulletin Boards: The Clerk's Office provides a broad range of information electronically to MPPs, Caucuses, and Assembly staff. Texts of bills, a list of MPPs, notices of committee meetings, lists of committee members and items referred to committees, listings of sessional papers, petitions, resolutions, status of bills, the texts of Votes and Proceedings and related items appear.

- Hansard has posted current Committee and House Hansards, as well as the indexes from the 35th Parliament.

- "On-line Hansard" allows full text searching of the text. This is a much more sophisticated searching capability than is available on the Hansard bulletin board.

- Library in-house Databases: The Legislative Library has a strong capability related to electronic products to support members' and committees' needs. These have been mounted using SearchMagic software which allows each database to be effectively searched. These include Ontario Status of Bills, Federal and Provincial Bills, Periodical Holdings List, Periodical Selections, Resolutions, Unreported Decisions, Written Questions, and others.

- Library Networked CD-ROMS: The library can access and search a number of fulltext Canadian newspapers and indexes for members' information needs.

OTHER LEGISLATURES

Canada

MPs now have permission of the Speaker to use laptop computers in the House of Commons as long as they "are quiet and neither cause a disruption nor interfere in any way with the member who has the floor."[3]

The House of Commons, Senate, and provincial legislatures have or are developing Internet sites. Each site varies. There may be descriptions of the offices of the Assembly, lists of committee membership, Hansard, texts of bills, status of bills information, reproductions of "business of the day", text of the Throne Speech, information about the Legislative Library, etc.

The *Canadian Parliamentary Review*'s Web site -- **http://www.magi.com/~infoparl/** -- is a useful source of information on legislatures and their elected members. It has links to other sites such as "Legislators with Home Pages" and "Legislatures of Other Countries," and it suggests some of the potential of new technology for direct communication and information dissemination. Another useful site is *Open Government* -- **http://champlain.gns.ca/opengov/**. It provides information about the Canadian Senate, House of Commons, Supreme Court and political parties along with links to Canadian provinces and international legislatures. Table 1 lists several relevant internet addresses.

Table 1
Legislative Web Sites

CANADA	
House of Commons	http://www.parl.gc.ca/english/
Senate	http://www.magi.com/~sencom/
Alberta	http://www.gov.ab.ca
British Columbia	http://www.legis.gov.bc.ca
Manitoba	http://www.gov.mb.ca
New Brunswick	http://www.gov.nb.ca
Newfoundland	http://www.gov.nf.ca
Northwest Territories	http://www.ssimicro.com
Nova Scotia	http://www.cfn.cs.dal.ca
Ontario	http://www.ontla.on.ca
Prince Edward Island	http://www.gov.pe.ca
Quebec	http://www.droit.umontreal.ca
Saskatchewan	http://www.sasknet.sk.ca
Yukon	http://www.yknet.yk.ca

INTERNATIONAL	
Commonwealth Parliamentary Ass'n	http://www.comsec.co.uk/cpa.htm
Australia	http://www.aph.gov.au
United Kingdom	http://www.parliament.uk/
European Parliament	http://www.cec.lu/europarl/
New Zealand	http://www.poli.govt.nz
U.S. Senate	http://www.senate.gov
U.S. House of Representatives	http://www.house.gov
Nat'l Conf. of State Legislatures	http://www.ncsl.org
United Nations	http://www.un.org

As well as legislative sites, many provincial governments have web sites where they post statutes, regulations, statistics, programme information, policy and discussion papers and other material. Ontario's is **http:www.gov.on.ca.**

Other Jurisdictions

The National Conference of State Legislatures (NCSL) in the United States recently prepared a *Guide to Legislative Information Technology*, based on a survey of the states, which provides information about major trends and current issues in legislative information technology.[4] It identified four main trends:

- Public access to government and legislative information, especially via the Internet;
- Networks, open systems, and client/server technologies;
- Personal computers and graphical user interfaces (GUIs); and
- Automation of legislative Chambers.[5]

Finding Legislative Information

The NCSL's *Guide to Legislative Information Technology* contains lists of the some 40 states with legislative information on the Internet along with Internet addresses which provide American federal and state information.[6]

Texas has established Internet access to its full bill text and history, daily House and Senate calendars, etc. California has passed legislation requiring that similar information be put on the Internet.[7]

As noted above, the *Canadian Parliamentary Review* Web site has hot links to Internet sites of legislatures of other countries. Potentially, one could hook into a site at one legislature to search for legislation on a particular issue and then follow their direct links to other legislatures to see what they have done on the issue.

Electronic Voting

Electronic voting is used in Washington, D.C. and some European chambers although there appear to be no Canadian legislatures employing it.[8]

The Inter-Parliamentary Union provided a summary of experiences with electronic voting in France, Germany, Spain, Belgium, Italy, Switzerland, Finland, Thailand and Ireland.[9] Some of these countries have used electronic voting for decades.

Following a tour of a number of legislatures, the Australian House of Representatives described the perceived advantages and disadvantages of electronic voting.[10] These are summarized in Table 2.

TABLE 2
The Perceived Advantages and Disadvantages of Electronic Voting

The principal advantages of electronic voting are generally seen as being:

- a saving in the time of the House and its Members; and
- the immediate availability in both electronic and hard copy form of complete details of a division, with the ability to have this information electronically incorporated in the official record of the proceedings (the Votes and Proceedings) or *Hansard* report and its storage for future use:
- the ability to show on the electronic display panel the question or other matter before the House; and
- electronic recording of voting results leads to far more statistical information being available for analysis.

On the other hand, the perceived disadvantages of such a system are:

- the loss of an opportunity for a pause or "cooling off" period in the proceedings which can often assist in the smoother transaction of later business;
- if Members vote from their own places in the Chamber instead of the traditional "ayes to the right, noes to the left", it would not be readily apparent to the gallery or television observer how a particular Member voted;
- the possibility of one Member voting for an absent colleague or other similar abuses;
- the possibility of additional divisions being called for because of the availability of the equipment; and
- the significant cost involved particularly of installation.

Source: Department of the House of Representatives, Australia

CONCLUDING REMARKS

The Speaker *pro tem* of the Minnesota House of representatives recently noted that legislators could have at their fingertips original information, such as revenue, expenditure and census data, for more complete critical analysis and oversight. They could directly monitor the expenditures of state agencies and know how money is really being spent instead of depending on "packaged information" issued by the agency itself. They could use e-mail and have verification that their messages were received. They could use constituent tracking systems to provide more timely and better services to the citizens in their districts. The new information technology could give them a direct link between their homes and the capital at any time of day. It could also bring more people into capital committee rooms to testify via interactive television.[11]

One can easily envision potential benefits to MPPs from enhanced access to elements of the new information technology:

- Members could electronically transfer documents from their Queen's Park offices to their constituencies via the Internet.

- Similarly, material could be transferred from the Legislative Library electronically to Members' offices, including constituency offices.

- Various database applications could help MPPs organize their constituency work and schedule meetings and contacts.

However, a number of issues arise which may affect the implementation of certain of these capabilities in some jurisdictions:

- In an environment where confidentiality and privacy of information is essential, it will be important to ensure that issues of security of information on Internet communications and on shared electronic resources are satisfactorily addressed.

- In times of restraint, can legislatures afford the equipment, software and renovation costs needed to install and implement these systems and the expertise required to operate, maintain and repair the new technology? On the other hand, can legislatures risk being left behind as information technology dramatically improves?

- Do legislatures have the capabilities to plan effectively for rapid technological change and select the right products from among the many available?

- Technology evolves rapidly, and manufacturers' support of products may decline as newer versions arise, requiring a continuing cycle of costly upgrades and replacement if services are to be maintained.

One reviewer noted that parliaments must endeavor to ensure that the new technology does not get the better of the members, and does not ruin the environment and the atmosphere which should form the natural background of parliamentary work.[12]

The rapidly evolving technological tools offer both opportunities and risks to legislatures within Canada and the Commonwealth. Careful planning and a high degree of communication among jurisdictions will help to make technological transitions efficient and productive for parliamentarians.

NOTES

[1] Ontario, Legislative Assembly, Standing Committee on the Legislative Assembly, *Hansard: Official Report of Debates,* 35th Parliament, 2nd Session (6 May 1992): M-3 to M-7.

[2] Ontario, Legislative Assembly, Standing Committee on the Legislative Assembly, *Hansard: Official Report of Debates,* 36th Parliament, 1st Session (12 June 1996): M-183.

[3] Andrew Blauer, "Plugged in the House," *Hill Times,* 2 June 1994, p. 4.

[4] National Conference of State Legislatures, *Guide to Legislative Information Technology* (Washington, D.C.: The Conference, December 1995).

[5] Ibid., p. 1.

[6] "Legislatures on the 'Net'," *State Legislatures* 21:10 (December 1995): 7.

[7] "State News," *State Information* (Winter 1995): 2.

[8] Jane Taber, "Electronic-voting junket triggers scepticism," *Ottawa Citizen*, 25 February 1994, p. A10.

[9] "Electronic voting systems," *Constitutional and Parliamentary Information* 3rd Series - No. 168 (2nd Half-year 1994): 176-177.

[10] The Parliament of the Commonwealth of Australia, House of Representatives, *Electronic Voting: Report of inspection of equipment used in the parliaments of Belgium, Denmark, Finland, Sweden and the United States of America and in the European Parliament building in Brussels* (Canberra: Department of the House of Representatives, October/November 1993): 19.

[11] Rick Krueger, "Unused power: legislators ignore technology," *State Legislatures* (June 1992): 14–15.

[12] Helge Hjortdal, "Report on the introduction of new technology in parliaments," *Constitutional and Parliamentary Information* 1st Series - No. 161 (1st Half-year 1991): 1-34.

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